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UNITED STATES OF AMERICA


-against-

16 Crim. 639 (LGS)

LAMARK MULLIGAN,

**ORDER**

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LORNA G. SCHOFIELD, District



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

WHEREAS an amended violation report is filed on  
December 4, 2019.

WHEREAS Defendant, on May 1, 2020, filed a letter motion (“Motion”) requesting that the Court schedule a telephone conference for Defendant to both admit to specifications 11 and 12 of the Report and proceed to sentence on the violations. (Dkt. No. 60)

WHEREAS in the Motion, Defendant objected to the Report’s Sentencing Guidelines calculation which is based on a Criminal History Category of V, resulting in a Guidelines recommendation of 7 to 13 months imprisonment on specifications 11 and 12. Defendant asserts that the correct Criminal History Category is III based on Defendant’s criminal history at the time of the underlying offense, resulting in a Guidelines recommendation of 5 to 11 months imprisonment on specifications 11 and 12. (See U.S.S.G. Section 7B1.4)

WHEREAS a second amended supervised release violation report (“Amended Report”) was filed on May 5, 2020, and contains modifications to the following sections of the Report:

1. Supervision Adjustment
2. Violation Circumstances: (Specification 13 was added)
3. Court Status
4. Sentencing Options: (Defendant’s Criminal History Category is III)

WHEREAS the Amended Report’s Guidelines calculation resolves Defendant’s objection to the applicable Guidelines range in the Report. It is hereby

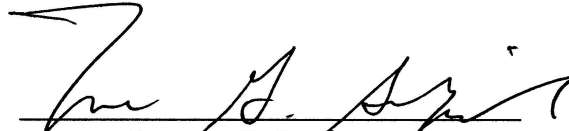
**ORDERED** that Defendant’s Motion to schedule a plea and sentencing for his violation

**ORDERED** that a telephonic conference is scheduled for Thursday **May 21, 2020, at 9:00 A.M.** The parties shall call (888) 363-4749 and use Access Code 558-3333. The date and time of this conference are subject to change. It is further

**ORDERED** that any written sentencing submission shall be filed on or before **May 18, 2020.**

The Clerk of the Court is directed to terminate the letter motion at docket number 60.

Dated: May 12, 2020  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**